

CASE PR/3-23134/A/RAI 34/CONT/DIV

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

SHIELA A. LOGGINS

Type or print name of person signing certification

Shiela A. Loggins

Signature

12/08/2006

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Group Art Unit: 1711

TOMI KIMPIMAKI ET AL.

Examiner: NATHAN M. NUTTER

APPLICATION NO: 10/628,481

FILED: JULY 29, 2003

FOR: METHOD OF MAKING A SURFACE SIZE  
COMPOSITIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER U.S. PATENT NO. 6,545,079**

I, Shiela A. Loggins, represent that I am the agent of record for this invention.

Ciba Specialty Chemicals Corporation is the owner of the entire interest in the above-identified application by virtue of an assignment which was recorded in the United States Patent and Trademark Office on October 12, 2005 at Reel 017105 /Frame 0005 .

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of

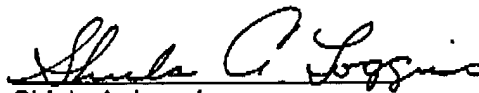
the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any statutory disclaimer, of prior Patent No 6,545,079. The owner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior patent are commonly owned, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

U.S. Patent No. 6,545,079 is also entirely assigned to Ciba Specialty Chemicals Corporation by virtue of an assignment which was recorded in the United States Patent and Trademark Office on October 12, 2005 at Reel 017105 /Frame 0005.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any statutory disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Signed at Tarrytown, New York, this <sup>8<sup>th</sup></sup> day of December , 2006.

By:



Shiela A. Loggins  
Registration No. 56,221  
Agent of Record

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